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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,058	05/06/2004	Kenneth W. Bair	RYL 2 0535-3-3-2-1-1	6649
27885	7590	06/15/2005	EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			TILL, TERRENCE R	
			ART UNIT	PAPER NUMBER
			1744	
DATE MAILED: 06/15/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

10/840,058

Examiner

Terrence R. Till

Applicant(s)

BAIR ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS filed 3/8/05.
2. ☒ The allowed claim(s) is/are 1,3-7,15-17 and 19-34.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/8/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: With respect to claim 1, the prior art, particularly the newly cited prior art, does not disclose nor render obvious the claimed combination of subject matter particularly a housing defining a cyclonic airflow chamber, said suction source selectively establishing and maintaining an approximately linear suction airstream from said outlet of said cyclonic airflow chamber to said inlet of said airstream suction source and a main filter assembly positioned between said cyclonic airflow chamber and said suction source for filtering contaminants from said suction airstream. The publication to Goblin LTD does not disclose a cyclonic airflow chamber and the publication to ShunDe Xianhua does not disclose said suction source selectively establishing and maintaining an approximately linear suction airstream from said outlet of said cyclonic airflow chamber to said inlet of said airstream suction source. Neither would it be obvious to modify either device as such would destroy the teachings of the device. With respect to claim 15, the prior art, particularly the newly cited prior art, does not disclose nor render obvious the claimed combination of subject matter particularly a cyclonic airflow chamber, a filter assembly located in said dirt cup, said filter assembly comprising: a support, and first filter element mounted on said support. The publication to ShunDe Xianhua appears to disclose such items, but applicants have priority to at least 7/24/98, which is before the publication date of ShunDe Xianhua. With respect to claim 21, the prior art, particularly the newly cited prior art, does not disclose nor render obvious the claimed combination of subject matter particularly a cyclonic airflow chamber, a cyclonic airflow chamber at least partially located in said dirt cup for separating dirt and dust from a suction airstream flowing into said dirt cup between an inlet of said dirt cup and

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an outlet of said dirt cup; and a first filter element located in said cyclonic airflow chamber. Again, the publication to ShunDe Xianhua appears to disclose such items, but applicants have priority to 1/9/98, which is before the publication date of ShunDe Xianhua. With respect to claim 25, the prior art, particularly the newly cited prior art, does not disclose nor render obvious the claimed combination of subject matter particularly a cyclonic airflow chamber, a first filter element located in said dirt cup; and a second filter element disposed downstream from said first filter element. Yet again, the publication to ShunDe Xianhua appears to disclose such items, but applicants have priority to at least 7/24/98, which is before the publication date of ShunDe Xianhua. With respect to claim 28, the prior art, particularly the newly cited prior art, does not disclose nor render obvious the claimed combination of subject matter particularly a cyclonic airflow chamber, a filter element mounted in said cyclonic airflow chamber wherein said cyclonic airflow chamber comprises an outlet and wherein said filter element is located adjacent said cyclonic airflow chamber outlet. As stated previously, the publication to ShunDe Xianhua appears to disclose such items, but applicants have priority to 1/9/98, which is before the publication date of ShunDe Xianhua.

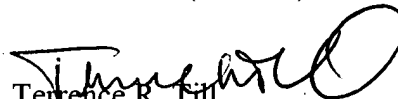
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Till whose telephone number is (571) 272-1280. The examiner can normally be reached on Mon. through Thurs. and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sun U. Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Terrence R. Fill
Primary Examiner
Art Unit 1744

trt